

This Page Is Inserted by IFW Operations  
and is not a part of the Official Record

## **BEST AVAILABLE IMAGES**

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

**IMAGES ARE BEST AVAILABLE COPY.**

As rescanning documents *will not* correct images,  
please do not report the images to the  
Image Problem Mailbox.

3



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/981,879	10/18/2001	Brian David Barrick	AUS920010802US1	6645

7590 06/29/2004

Gregory W. Carr  
 Carr & Storm, L.L.P.  
 670 Founders Square  
 900 Jackson Street  
 Dallas, TX 75202

EXAMINER

NGUYEN, MIKE

ART UNIT	PAPER NUMBER
----------	--------------

2182

DATE MAILED: 06/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

3

# Office Action Summary

Application No.

09/981,879

Applicant(s)

BARRICK, BRIAN DAVID

Examiner

Mike Nguyen

Art Unit

2182

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 18 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Notices & Remarks*

1. Claims 1-9 are pending for the examination.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Stewart (U.S. Pat. No. 6,735,677 B1).

As to claim 2, Stewart teaches a method of providing requests from one or more requestors to a first destination and a second destination (see fig. 2 element 12 wherein each destination includes a requestor or processor core to request access to a destination through a shared memory), the method comprising the steps of:

receiving one or more requests (see fig. 2 element 24 col. 4 lines 28-33);

determining whether a data table contains an available location (see col. 4 lines 28-42);

upon a determination that the data table contains an available location, performing the substeps of:

storing the one or more requests in the data table (see col. 4 line 43 to col. 5 line 18); and

storing identifying information in an age queue element of an age queue, the identifying information comprising a tag that identifies the location of the corresponding element in the data table (see col. 4 line 43 to col. 5 line 18 and col. 7 lines 25-60);

determining a first oldest element in the age queue corresponding to a first request for the first destination (see col. 7 lines 6-60);

submitting to the first destination the first request in the data table identified by the tag included in the first oldest element (see col. 8 lines 48-64);

determining a second oldest element in the age queue corresponding to a second request for the first destination (see col. 7 lines 6-60); and

submitting to the second destination the first request in the data table identified by the tag included in the second oldest element (see fig. 4 col. 8 lines 48-64);

Claim 1 is directed to a method of queuing requests implementing the method of providing requests as set forth in claim 2. Since Stewart teaches the method of providing requests as set forth in claim 2; therefore, he also teaches the method of queuing request as set forth in claim 1.

Claim 3 is directed to a method of providing requests implementing the method of providing requests as set forth in claim 2. Since Stewart teaches the method of providing requests as set forth in claim 2; therefore, he also teaches the method of providing request as set forth in claim 3.

Claim 4 is directed to an apparatus of queuing requests implementing the method of providing requests as set forth in claim 2. Since Stewart teaches the method of providing requests as set forth in claim 2; therefore, he also teaches the apparatus of queuing request as set forth in claim 4.

Claim 5 is directed to an apparatus of providing requests implementing the method of providing requests as set forth in claim 2. Since Stewart teaches the method of providing requests as set forth in claim 2; therefore, he also teaches the apparatus of providing request as set forth in claim 5.

Claim 6 is directed to an apparatus of providing requests implementing the method of providing requests as set forth in claim 2. Since Stewart teaches the method of providing requests as set forth in claim 2; therefore, he also teaches the apparatus of providing request as set forth in claim 6.

Claim 7 is directed to a computer program product for queuing requests implementing the method of providing requests as set forth in claim 2. Since Stewart teaches the method of providing requests as set forth in claim 2; therefore, he also teaches the computer program product for queuing request as set forth in claim 7.

Claim 8 is directed to a computer program product for providing requests implementing the method of providing requests as set forth in claim 2. Since Stewart teaches the method of

providing requests as set forth in claim 2; therefore, he also teaches the computer program product for providing request as set forth in claim 8.

Claim 9 is directed to a computer program product for providing requests implementing the method of providing requests as set forth in claim 2. Since Stewart teaches the method of providing requests as set forth in claim 2; therefore, he also teaches the computer program product for providing requests as set forth in claim 9.

### *Conclusion*

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 6,738,888 B2 (Chauvel)

U.S. Pat. No. 6,694,410 (Dang)

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mike Nguyen whose telephone number is 703 305-5040. The examiner can normally be reached on 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 703 308-3301. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

Art Unit: 2182

system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mike Nguyen  
Patent Examiner  
Group Art Unit 2182

06/24/2004

A handwritten signature in black ink, appearing to read 'J. Gaffin', with a long horizontal stroke extending to the right.

JEFFREY GAFFIN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100